Dear David, 8/29/93

Although what I wrote you yesterday about that newest of Livingstone's insanities it did not stay in my mind. It returned soon after I was abed. I kept getting up with it on my mind and the less than five hours I was abed before staying up trying to sleep ~~there was~~ clearly a futility. It was not the good sleep that at my age and with my health problems I need. I tried to return to the work that interests me and it was impossible. I could not get out of my mind what I believe will be inevitable once his Killing the Truth is published. Nor could I stop wondering what the situation would be if the Baltimore City Police Department had done what it should have done, and not for its own reasons done nothing, which I think can be regarded as negligence if not misprison, as I, a non-lawyer, understand that. If I am right I believe that will be, is, really, misprison of a felony. I think there is no doubt that Harry is guilty, repeatedly, including in what I did not send you ~~for it~~ but now enclose, of a felony at the least ~~of~~ under Article 27 of the Annotated Maryland Code, Section 561. He again charges me and others in a sense me more than the others, (quoting from page 11) as "accessories after the fact" of the JFK assassination. He says more your people can interpret for themselves about this.

In my view, and I intend to share it with others without now going farthur but with going farthur before too long in mind, the situation I face and will face, a situation fraught with a number of dangers for me, it exists only because of the negligence or misprison of the Baltimore police. Its failures not only enabled this mental problem to continue but it encouraged him to do more and worse and inflated his already inflated insanity that he serves the nation with his incredible and paranoid concepts, including of himself as representing the law and the police, about which he was quite specific, in what he regards as a patriotic act of vengeance against those directly and indirectly responsible for the JFK assassination. In this sick thing he actually says we got paid for that - which is entirely unreal but which he without question believes.

In my view also the failure of the police to do anything has encouraged his publisher, a publisher who for the May 3 issue of Publishers Weekly said of us that we are guilty of "furthering the conspiracy," accessories. Aside from wondering whether or not under Maryland law that also does not violate the code cited above, he could have had the serious misgivings he should and would have had, absent his greed, if the police had done what it should have done.

It is now again confronted with his statement that two of the police went to Dallas with him to work with him "in this investigation," top of page 11. Aside from the violation this clearly represents, does it involve the police more directly in the evil he is up to, the danger to others from it, and does it involve those policemen in criminal acts of which he is guilty but thanks to the police remains immune?

Separate from which is the clear criminal act of Richard Waybright, possible acts, that began when he stole from me. What he stole I regard as having considerable value

and it not possible for me now to replace. It has taken me much time to do the best I can from recollection because I regard that as important for our history.

So, what will be my position when that book appears. Without confirmation I was told last night it will appear next month, possibly hastened by the reception to the newest sensation of the exploiters and commercializers, Case Closed.

This is hearsay but his many letters indicate it is probably true, perhaps understated. A former FBI agent, a lawyer, who was allowed to read the manuscript, (he used the word "book,") said one of us, not quite my age, ought to have a good lawyer ready. Another one who read it, allowed to or asked to, as I understand it, by the publisher, found it incredible that the things said about me could be published.

It is possible that these non-experts were used by the publisher for a phony "peer review," the norm with nonfiction, but not earlier with him.

With people my age the publisher also knows there is little possibility of a suit. Few people can afford that and by the time a suit could come to trial who could expect to be around to push it?

Before going further I want also to raise the question, did the police consult with the postal inspectors on whether Livingstone is in violation of provisions of Title 18 of the US code having to do with mailing threats and the like? If not, is that not also negligence at the least, negligence that contributed to making the present situation possible?

That same issue of Publishers Weekly quotes Publisher Kent Carroll as saying the first printing in hardback will be more than 50,000 copies. That requires an extraordinary promotional and advertising campaign and that in and of itself is even more damaging. With all such attention, what am I to say when asked by the media about those charges?

Nothing, and thus appear to validate them?

Or show, which is child's play, that they are false and the product of a sick and dangerous mind, which is the truth?

Exposing Livingstone is the only possible course. If I do not do that, I contribute to the ruin of my own reputation and all that means in terms of my work and its acceptance in our history.

What can that then mean when I do respond when that paranoidal megalomaniac can not respond in any way and he faces the ruin of what he has just done? Does anyone who knows him and of his many threats, some of which are recorded on phone answering devices, think he will do nothing? I do not, especially because it will mean his ruin.

Here I am out in the country, living close to invisibly in a woods, prohibited from lifting more than 15 pounds by my doctors and so feeble using the stairs to the basement is now too much for me and I am extraordinarily vulnerable in an unusual way, what am I to do if that self-conceived agent of the police and law comes hefe to avenge, as in his sick mind as well as his words, he regards as a patriotic mission?

You as well as your department know that if I had wanted to embarrass it at all I could have. For example, when a Baltimore Sun reporter was here, if I had just shown him the file you have seen part of. Most of, probably. I have been entirely silent in public and virtually entirely so in private. But I cannot long continue to do that with any degree of safety. I think this is now pretty obvious.

By the way, I intend this for you to give to the right person, without your personal involvement, so that the bad situation can still be managed in a way that will do least damage to the department. I recognize that it can have its own problems and that its long period of doing nothing can be for reasons it considered important to it. I think that perhaps all interests are served by this remaining a nonpublic matter as long as that does not endanger me and Lil.

I cannot and do not pretend that what thought I gave this during the time I was not fitfully asleep. (It is now only 4 a.m.) I also have not consulted any lawyer. I have to face the possibility that this will all come to a head within a month. If it does not, there is the certainty that it will well before 11/22 because the book will be out before the 30th assassination anniversary to exploit that market and natural sales promotion.

But my present thinking prior to discussing this with Lil when she is up is that while there is nothing I can do to protect myself I must share knowledge of this situation with others who are credible people, friends I can trust not to leak but who I think will not be silent if something does happen.

If Lil agrees then I'll do that promptly.

I will also seek counsel from an out-of-state lawyer friend. I may also consult a local lawyer although as of now I am not inclined to have any Maryland involvement. I just want general advice as of now.

As of now I am inclined to think that if nothing happens within a couple of weeks, before I have any reason to believe that the book will be out for review or on sale, and given the present situation, like with Case Closed it may be on sale before reviews are possible from market considerations, I will inform the press.

I am aware that that can cause more of a stink than if this is taken care of properly and promptly without my causing it. I think my clear record is that I have been careful and cautious as well as patient to avoid undue problems for the police. But it and not I caused the present situation and when I consider the potential to me I feel that it just is not safe for me to risk continuing with total public silence.

In the simplest terms, as best a nonlawyer can have a valid opinion in it, I believe that aside from what for its own reasons and under its own regulations the police should have done and didn't do, it has and had knowledge of a potential violation of Maryland law in which it also is, if unintendedly to begin with, involved. It has been further negligent in doing nothing about it and is perhaps guilty of misprision of a felony or felonies. It is responsible for the present situation that is so dangerous to me.

If he only pushed me that can now kill me!

If you had been here you would have seen that most of this year my arms have been covered by surgical compresses, at one time all or major parts of those three inches by three inches. They have been on my arms constantly for mechanical protection of scabs and to prevent bleeding again from the merest contact. One of those places, on the inside of my right forearm, with that patch off for about a week, is a rather ugly and red patch about two inches by more than an inch and a half. In my sleep rubbing that forearm over my nose peeled the skin back that much! This may sound extreme but it is the actuality as the consequence of living for about 18 years or a rather high level of anticoagulent. All of the skin is visibly affected, more than from age. Another patch, on my left forearm, also just removed, was on a large spot that peeled back when from unsteadiness as I was leaving my small office that arm grazed against the round doorknob! Both elbows are still so covered, there are two other such patches, one on each arm, and ~~I could the,~~ There are four one-inch bandaids on smaller patches. Even the edge of a hardback book has peeled the forearm skin back for several years now.

Suppose he merely pushes me and I push ~~him back~~ or fall. That alone can be too much for my heart now. If he just comes here menacingly, that, too, can now be too much. I can't take any excitement any more. Without exceptional excitement on a number of occasions in the past couple of years doctors have had my blood pressure taken three times a week for a month a couple of times and had me on a Holter monitor several other times, once for a continuous 72 hours.

Without saying more, which I can, I give an idea of what I face, what anyone knowing Harry and his condition knows is at the very least possible.

There is a very real likelihood that by what he has no way of knowing can cause it he can kill me.

At the very least, there will in that or in anything else be a real responsibility for it by the Baltimore police.

If it had done what it knew it should have done more than a half year ago and at all times since then this situation would not exist. I mean all parts of it, even the willingness of the greedy publisher who made a pot on his earlier trash to consider publishing such evil and insane stuff. They know he is sick in the head, but they made money from him. Acoording to one or more of his letters they even contracted this book after Groden filed suit against them and him. In different versions he has multiple books in that contract and in what I enclose he has at least one more, besides the one he will print in Baltimore. But for all it knew, it did nothing at all, and it knew he was doing what it was bound to do something about in his uses of members of the department and in his representations that he represented it. It did nothing when Union Memorial gave it a copy of the letter he wrote on police stationery.

I believe there is further negligence. When Detective Adams phoned me about seven months ago he knew that the computer had been misused (federal offense?) and who had misused it and I believe for whom. He asked me about that. My recollection then was not clear enough for me to tell him unequivocally that Rick had done that to my knowledge. I did think so but I was not positive of it. When I told Lil she recalled clearly that Richard had not only said so but had offered to do that for us. But Adams never called us back. He did not respond to my offer to let him see and copy all I have. He did not indicate any interest in any of that at all. He did not even tell me how to mail anything to him that I might think could be of interest, anything that I had or would get. Neither directly nor indirectly have I heard a word from him since then. It is obvious that I have not used this to the damage of the police but it is also obvious that the time may come when to protect myself I may have to.

The danger to me from Harry is quite real and it exists only because the police did nothing when it should have, months ago, before he even turned his manuscript in. In doing nothing it encouraged him.

If by any good fortune I am not harmed by this appearance of this book, I urge a careful reading of the third paragraph from the bottom of page 11 of the enclosure. It pretty much says that what the publisher would not accept for this book he says "is already a book." (He also there refers to what he expects of the State. He ways it has concurrent juridsdiction in the assaassination!) In looking for another reference to this I see the clear threat at the top oa page 19. Toward the bottom of that page he refers to publishing what the commercial publisher would not permit in the coming book as a "spin-off". He ~~ay~~ says that ~~there~~ it will be "published by my own company." He calls that Conservatory Press. It is a Baltimore operation, Box 7149, 21218.

Then he talks also about a fifth book of this sick and dangerous stuff. There is to be no end and he is crazy and I think the police should be well aware of that. And it has done nothing and continues to do nothing.

Obviously I do not know what if anything it did or learned but I have reason to believe that its own records reflect a predisposition to violence if not his mental history. He once volunteered to me that he has such a shrine in Baltimore. It also was silent when in his second book he named a Baltimore policeman, Rick, as his "chief investigator." It has been silent knowing all the utterly irrational things he has put on paper. Even the utter irrationality of writing as he did on its own letterhead. In my view it is responsible for the existence of the situation I now face.

And I am powerless to do anything other than to draw the public attention to it that I may be forced to do. And certainly do not want to.

If I now wanted to I would not be this informal, this private about it. I would write the mayor or the chief and would have a letter I could make public if nothing is done and something happened to me. It is possible I may yet be counselled to do that but I do not want to.

Sincerely, Harold